

**SEWARD & KISSEL LLP**

ONE BATTERY PARK PLAZA  
NEW YORK, NEW YORK 10004

ANNE C. PATIN  
Partner  
212-574-1516  
patin@sewkis.com

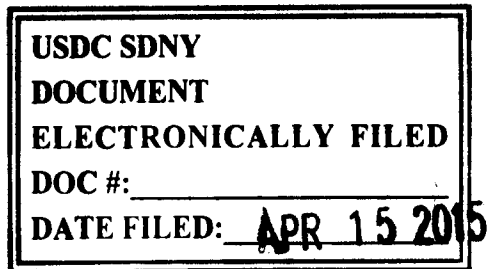
TELEPHONE: (212) 574-1200  
FACSIMILE: (212) 480-8421  
WWW.SEWKIS.COM

901 K STREET, NW  
WASHINGTON, DC 20001  
TELEPHONE: (202) 737-8833  
FACSIMILE: (202) 737-5184

April 15, 2015

**VIA ECF AND EMAIL**

Honorable Katherine B. Forrest  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1950  
New York, New York 10007  
[ForrestNYSDChambers@nysd.uscourts.gov](mailto:ForrestNYSDChambers@nysd.uscourts.gov)



Re: Yanowitz v. Divatex Home Fashion, Inc.,  
15 Civ. 807 (KBF)

Dear Judge Forrest:

We represent defendant Divatex Home Fashion, Inc. ("Divatex") in the above-referenced matter. We write to respectfully request an extension of time to the briefing schedule for Divatex's motion to dismiss the second count of Plaintiff's Complaint (the "Motion to Dismiss"), and Plaintiff's cross-motion for summary judgment (the "Motion for Summary Judgment").

Because the issues raised in both motions are intertwined, Divatex respectfully requests an extension of time from Monday, April 20, 2015 until Monday, April 27, 2015 to submit its reply in further support of the Motion to Dismiss, which would make it due on the same date as its opposition to the Motion for Summary Judgment. Plaintiff's counsel consents to this request, and further requests an extension of time until Friday, May 15, 2015 to submit his reply in further support of the Motion for Summary Judgment. Divatex consents to Plaintiff's request. This is the parties' first request to adjourn the briefing schedule with regards to either motion.

We appreciate the Court's attention to this matter.

Honorable Katherine B. Forrest  
April 15, 2015  
Page 2

Respectfully submitted,

s/ Anne C. Patin

Anne C. Patin

cc: Bruce D. Meller, Esq.  
Dennis Serkin, Esq.

SK 25855 0004 6496277

Ordered  
Applicant's granted.

LCB.70  
USDJ

4/15/15